

Chairperson
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Vice-Chairperson
Richard Fascia

Secretary
Joseph Anzelone

Counsel for the Board
Joseph Ballirano, Esq.



Building Official
Bernard J. Nascenzi, C.B.O.

Zoning Board Members
Anthony Pilozzi
Bernard Frezza

Alternate Board Members

Dennis Cardillo

Recording Secretary
Susan Leonardi

JOHNSTON ZONING BOARD OF REVIEW
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MINUTES

July 28, 2011

The Zoning Board of Review held its monthly meeting on the 28th day of July, 2011, at 7:00 p.m., at the Johnston Senior Center, 1291 Hartford Avenue, Johnston, RI. All persons interested in the following proposals had been requested to be present at this time.

Present: Chairman Kenneth Aurecchia, Richard Fascia, Vice-Chairman, Anthony Pilozzi, Joseph Anzelone, Bernard Frezza and Dennis Cardillo. Also present: Joseph Ballirano, Town Solicitor, Bernard Nascenzi, Building/Zoning Official, Susan Leonardi, Recording Secretary, and Dianne Edson, Stenographer

Mr. Anzelone made the motion to approve the minutes of the June 30, 2011 meeting. Mr. Fascia seconded the motion. A voice vote was taken; all in favor.

File 2011-38

LOCATION: 39 Shore Drive
OWNER/APPLICANT: Frank and Joyce Sciotto
LOT: AP 62 — Lot 14; 20,000 sq. ft.; R-40 Zone
EXISTING USE: Single Family Dwelling
PROPOSAL: Construct a 24' x 24' detached garage
Dimensional Variance petitioned under Article III, Section G (7) (c)

Frank Sciotto was sworn. The garage will be detached. It will not have plumbing, no business will be run out of it and it will not have a second floor.

No abutters appeared for or against.

Mr. Pilozzi made the motion to grant the application. Mr. Frezza seconded the motion. A voice vote was taken; all in favor.

File 2011-34

LOCATION: 12 Vittorio-Emanuel St.
OWNER/APPLICANT: Jerrold and Margaret Shearer
LOT: AP 35 — Lot 63; 6,405 sq. ft.; R-15 Zone
EXISTING USE: Single Family Dwelling
PROPOSAL: Construct a 15' x 25.6' garage with room above

Dimensional Variance petitioned under Article III, Section F, Table III F-1

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
LOT:	— SIZE	15,000 sq. ft.	6,400 sq. ft.	8,600 sq. ft.
	— FRONTAGE	100'	80'	20'
	— WIDTH	100'	80'	20'
SETBACKS:	— FRONT	25'	21.5'	3.5'
	— REAR	45'	30.4'	14.6'
	— LEFT	20'	12.5'	7.5'
	— RIGHT	25'	20.6	4.4'

Jerrold and Margaret Shearer were sworn. Mr. Shearer stated that it would be an attached garage with a room above. The room above would connect with the existing living room on the second floor of the home and enlarge it. The shed currently on the property would be moved or possibly removed.

Mr. Pilozzi stated that he is concerned about the size of the structure on a small lot. He is also concerned about the septic system and the possibility that this additional living space could be turned into another bedroom.

Frank Lombardi, Esq. (in the audience) stated that he has known the applicants for years. He spoke to the applicants and requests a continuance to gather the information the Board is requesting.

Julio Lugni and Catarina Colapietro, abutters, sworn. The abutters are concerned about proximity to lot line, run-off and property values.

Mr. Pilozzi wants an opinion from the Town Planner.

Mr. Shearer requests a continuance.

Mr. Pilozzi made the motion to grant the continuance. Mr. Fascia seconded the motion. A voice vote was taken; all in favor.

FILE 2011-28

LOCATION: 2741 Hartford Avenue & 8 Elmdale Avenue
OWNER/APPLICANT: Thomas G. Casale, Trustee of the Thomas G. Casale Revocable Trust
LOT: AP 57 — Lot 115; 32.379 sq. ft.; B-2 Zone
EXISTING USE: Auto Body Shop
PROPOSAL: Construct an 80' x 41.33' addition

Dimensional Variance petitioned under Article III, Section F, Table III–F–1.

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
SETBACKS:	— REAR	50'	1'	49'
	— LEFT SIDE	40'	30'	10'

Al Russo, Esq. presented the application to the Board. Thomas Casale was sworn. Mr. Russo stated that the addition is to store vehicles being repaired to avoid vandalism. Relief requested was discussed. Mr. Anzelone stated that he would like the stipulation that no lot lines be moved.

No abutters appeared for or against the project.

Mr. Piloizzi made the motion to grant the application with the stipulation that the lot lines not be moved and that there be a permanent easement to the rear lot. Mr. Anzelone seconded the motion. A voice vote was taken; all in favor.

FILE 2011-30 – Vote for Reconsideration

LOCATION: 36 Starr Street
OWNER/APPLICANT: Sharon Cadieux
LOT: AP 5 Lots 208 & 209; .52 acres; I Zone
EXISTING USE: Scrap Metal Recycling
PROPOSAL: Expansion of existing Special Use Permit to include recycling of any and all recyclable materials, including ferrous and non-ferrous metals.

Special Use Permit petitioned under Article III, Section D, Subsection 14.1

Al Russo, Esq. presented the application to the Board. Jeffrey Cadieux was sworn. Mr. Russo explained history of the application. Ferrous vs. non-ferrous metals were discussed. No junk cars would be accepted for recycling.

Mr. Nascenzi stated that the owners of the property have improved conditions on the premises since the last visit to the Zoning Board. The Board requests the removal of the sign on the pole on Atwood Avenue. Mr. Cadieux agreed.

No abutters appeared for or against the application.

Mr. Frezza made the motion to grant the application. Mr. Pilozzi seconded the motion. A voice vote was taken; all in favor.

File 2011-37

LOCATION: 1410 Atwood Avenue
OWNER: Amalgamated Financial Equities X, LLC
APPLICANT: Stop & Shop Supermarket Company
LOT: AP 44 —Lot 431; .89 acres; B-2 Zone
EXISTING USE: Restaurant
PROPOSAL: Construction of a Stop & Shop Fuel Station

Special Use Permit petitioned under Article III, Section D, Table III D-1, Subsection 9.6 and **Dimensional Variance** per Article III, Section J – Signage Sections 5.1.1 and 5.1.12

Frank Lombardi, Esq. presented the application to the Board. Mr. Lombardi submitted a compilation of the application to the Board. Mr. Fascia made the motion to accept the compilation as Exhibit A for the applicant. Mr. Aurecchia seconded the motion. A voice vote was taken; all in favor.

Kelley Coates, Sr. VP of Amalgamated Financial Equities X, was sworn.

Lisa Davis, Engineer for Sop & Shop, was sworn. Mr. Pilozzi made the motion to accept Ms. Davis as a Qualified Witness. Mr. Frezza seconded the motion. A voice vote was taken; all in favor.

Ms. Davis explained the site, number of gasoline pumps, hours of operation, and size of underground tanks.

Connor Nagle, P.E. of VHB, was sworn. Mr. Pilozzi made the motion to accept Mr. Nagle as a Qualified Witness. Mr. Anzelone seconded the motion. A voice vote was taken; all in favor.

Mr. Nagle explained the site, landscaping and leakage protections.

Bill Taber, P.E. of VHB, was sworn. Because Mr. Taber is not licensed in Rhode Island, Mr. Pilozzi and Mr. Anzelone were unwilling to accept him as a Qualified Witness. Mr. Ballirano stated that because Mr. Taber is a licensed P.E. in another state and is working under the guidance of other Rhode Island licensed P.E.'s, he could be accepted. Mr. Aurecchia voted to accept Mr. Taber, breaking the tie. Mr. Taber was accepted as a Qualified Witness. Mr. Taber explained the piping system, tank layout and safety precautions in place. There will be video-monitoring and fire suppression systems.

Robert Clinton, P.E. of VHB, was sworn. Mr. Frezza made the motion to accept Mr. Clinton as a Qualified Witness. Mr. Fascia seconded the motion. Mr. Clinton discussed the traffic flow and fuel delivery.

Ed Pimental, AICP, was sworn. Mr. Frezza made the motion to accept Mr. Pimental as a Qualified Witness. Mr. Pilozzi seconded the motion. A voice vote was taken; all in favor.

Mr. Pimental stated that he compared the project to the Town of Johnston Comprehensive Community Plan. In his opinion, the project fits within the boundaries described in the Plan.

Thomas Sweeney, Real Estate Expert, was sworn. Mr. Anzelone made the motion to accept Mr. Pimental as a Qualified Witness. Mr. Frezza seconded the motion. A voice vote was taken; all in favor.

Mr. Sweeney discussed the relief being requested and the use in comparison to the surrounding area.

Connor Nagle discussed signage and the relief being requested for the signage.

Mr. Pilozzi made the motion to grant the application. Mr. Anzelone seconded the motion. A voice vote was taken; all in favor.

Meeting adjourned at 9:30p.m.